

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ERIC BOWMAN, )  
Plaintiff, )  
v. )  
CINGULAR WIRELESS, )  
Defendant. )  
No. 1:04-cv-00510-RLY-TAB

## **ORDER DENYING MOTION TO SEAL**

Plaintiff Eric Bowman has filed a motion to seal [[Filing No. 38](#)] asserting that this case<sup>1</sup> should be sealed in its entirety because the underlying arrest referenced in this case is more than 10 years old, the underlying arrest has been expunged, public disclosure of this case has negatively impacted his job search, and he is homeless and unemployed.

Plaintiff's motion to seal is denied. Court filings are presumptively open to the public. See *Hicklin Eng'g, L.C. v. Bartell*, 439 F.3d 346, 348 (7th Cir. 2006) ("What happens in the federal courts is presumptively open to public scrutiny."); *Dixon v. Jefferson Capital Sys. LLC, et al*, No. 1:19-cv-02457-JMS-DLM, 2021 WL 4943059, at \*1 (S.D. Ind. Aug. 26, 2021) ("[G]enerally, unless there is a statutory basis for sealing, the existence of a recognized privilege, or a demonstration that harm would result from disclosure and that that particular harm should overcome the presumption of public access, sealing documents from the public record is not appropriate."); *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006) ("[E]mbarrassment, incrimination, or exposure to further litigation will not, without more, compel the court to seal its records."). The fact that Plaintiff's arrest may have been expunged does not

<sup>1</sup> Plaintiff has filed an identical motion in two other cases he filed: *Bowman v. State of Indiana, et al.*, No. 1:12-cv-00277-JMS-TAB [[Filing No. 11](#)], and *Bowman v. State of Indiana, et al.*, No. 1:14-cv-00847-JMS-TAB [[Filing No. 9](#)].

overcome this presumption, or otherwise justify sealing three separate civil cases in their entirety, particularly given that Plaintiff himself filed these cases.

Moreover, this case (unlike the two others Plaintiff brought) does not make allegations relating to his arrest, but rather allege employment discrimination in his termination.

Date: 10/29/2021

7-13L

Tim A. Baker  
United States Magistrate Judge  
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email

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